

**Environmental Compliance within the Environmental Management Program**  
Presentation to the Environmental Management Advisory Board

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**Organizational Structure [Slide #2]**

Pictured: an organizational chart depicting the structure for the Office of Regulatory Compliance as outlined below.

- Deputy Assistant Secretary for Regulatory Compliance – Frank Marcinowski
  - Office of Compliance – Karen Guevara
    - EPA, NRC, Compliance Agreements, Consent Orders, NEPA, Section 3116, DOE Order 435.1, LFRG, NRD
  - Office of Disposal Operations – Christine Gelles
    - HLW, TRU, GTCC, LLW/MLLW, LAW, By product material
  - Office of Public and Intergovernmental Accountability – Melissa Nielson
    - EMAB, SSAB, Tribal coordination, governmental groups, outreach, public participation
- Lead matters related to EM's legal/regulatory responsibilities
- Support implementation of waste disposition plans
- Serve as primary interface with stakeholders within and outside DOE

**How Does EM Track Compliance? [Slide #3]**

- EM has begun tracking six categories of site compliance:
  - Notices of Violation (NOVs)
  - Enforceable Compliance Agreement (ECA) Milestones
  - Non-High Level Waste (Non-HLW) Waste Determinations (WDs)
  - Low-Level Waste (LLW) Disposal
  - National Environmental Policy Act (NEPA)
  - Environmental Compliance Assessment Program (ECAP)

**DRAFT EM Compliance Scorecard [Slide #4]**

Pictured: the EM Compliance Scorecard, which is a color-coded table that correlates sites with the aforementioned categories of compliance and identifies their status by marking particular activities and/or programmatic needs as green, yellow, or red.

### **Why These Categories? [Slide #5]**

- **NOVs:** formal regulatory enforcement action
- **ECA Milestones:** fulfilling external regulatory commitments
- **Non-HLW WDs:** progress toward classifying low activity tank wastes for disposal as other than HLW (and therefore not requiring geologic disposal)
- **LLW Disposal:** internal regulation of DOE LLW disposal facilities
- **NEPA:** decisions on major federal cleanup actions
- **ECAP:** self assessments, indicator for avoiding NOVs

### **ECAP Overview and Purpose [Slide #6]**

- ECAP assists sites in developing compliance self-assessments
  - Standard, consistent system to evaluate environmental compliance
  - Self-identify and correct instances of noncompliance with environmental regulations
  - Reduce fines and penalties paid to resolve regulatory environmental enforcement actions
  - Collect information at HQ on status of sites' environmental compliance

### **Overview of ECAP Process [Slide #7]**

- ECAP teams comprised of EM federal staff
- Trained by U.S. Army Corps of Engineers and Mannus Corp. to use software to record and organize assessment results
- Prior to assessment, team reviews operating documents for facility to be assessed
- Site staff augment ECAP teams to learn self-assessment techniques
- Team drafts "Executive Summary" to document assessment and any associated findings

### **Overview of ECAP Process (Cont'd) [Slide #8]**

- Site addresses Executive Summary and findings within 30 days
- Together, the Executive Summary, Findings, and site's response become the final ECAP assessment for the site of the year
- Assessments vary in length depending on the size of a site and the size of the team
- Corrective actions of any findings are handled by the site's contractor and monitored by site staff

### **ECAP – Current Status [Slide #9]**

- ECAP training sessions have occurred at:
  - Oak Ridge
  - Idaho
  - Carlsbad
  - Richland
  - Savannah River Site
  - Paducah
- Training planned at Portsmouth

### **Current Compliance Issues [Slide #10]**

- Hanford
  - TPA negotiations (WTP delays, milestone slippages)
- Los Alamos
  - Cleanup milestones, NOVs
- Savannah River Site
  - Tank closure milestones
- ETEC
  - Court NEPA order; consent order on site cleanup
- Nevada
  - MLLW disposal